

REMARKS

This communication is a full and timely response to the aforementioned final Office Action dated June 22, 2007. By this communication, claims 1-9 are cancelled, and claims 10-18 are added. Thus, claims 10-18 are pending in the application.

Reexamination of the application and withdrawal of the rejections of the claims are respectfully requested in view of the foregoing amendments and the following remarks.

I. Amendments to the Specification

Minor editorial revisions have been made to the specification to correct informalities. Approval and entry of the revisions to the specification are respectfully requested.

II. Rejection under 35 U.S.C. § 101

Claims 1 and 3-9 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Office asserted that claims 1 and 3-9 did not recite patentable subject matter under 35 U.S.C. § 101 because these claims allegedly did not "provide the end results of having [the recited] calculations performed" (see paragraph 6.1 on page 3 of the Office Action). This rejection is believed to be moot in view of the cancellation of claims 1 and 3-9.

New claims 10-18 recite a useful, concrete and tangible result. New independent claim 10 recites a method of simulating a chemical mechanical polishing process. The method of new claim 10 positively recites operations of simulating a chemical mechanical polishing process based on the first through sixth obtained datasets. Therefore, the method of new claim 10 recites the "end results" of the calculations performed for the first through sixth obtained datasets.

Accordingly, Applicant respectfully submits that new claims 10-18 produce a useful, concrete and tangible result and thus are directed to patentable subject matter under 35 U.S.C. § 101. Therefore, Applicant respectfully requests that the rejection under 35 U.S.C. § 101 be withdrawn.

III. Rejection under 35 U.S.C. § 112

Claims 1 and 3-9 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This rejection is believed to be moot in view of the cancellation of claims 1 and 3-9.

New claims 10-18 particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Therefore, Applicant respectfully requests that the indefiniteness rejection be withdrawn.

IV. Applied References

The Office withdraw the art rejections under 35 U.S.C. § 103(a) based on Kim et al. (U.S. 6,484,300), Dickenscheid et al. (U.S. 6,965,809), Adler et al. (U.S. Patent Publication No. 2002/0161534) and Coon et al. (U.S. 6,988,060).

These references, either individually or in combination, do not disclose or suggest the recited features of new claims 10-18. In particular, Applicant respectfully submits that none of these references disclose or suggest the operations of obtaining the recited datasets and the operations of simulating a chemical mechanical polishing process by performing a least squares analysis to obtain first and second correlation coefficients and adjusting the first and second correlation coefficients, as recited in new claim 10. New dependent claims 11-18 recite further distinguishing features over these references.

Accordingly, in view of the foregoing amendments and remarks, Applicant respectfully submits that the subject matter of new claims 10-18 is patentable.

V. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is clearly in condition for allowance. Accordingly, Applicant requests a favorable examination and consideration of the instant application.

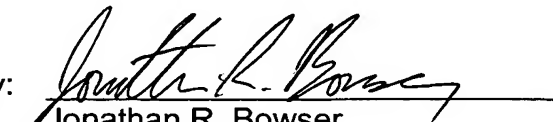
If, after reviewing this Amendment, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: December 26, 2007

By:


Jonathan R. Bowser
Registration No. 54574

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620